

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3920 of 2023

Arising Out of PS. Case No.-381 Year-2023 Thana- TEKARI District- Gaya

Raju Kumar @ Raju Ram S/O Late Gauri Prasad @ Late Gauri Ram @ Late
Gauri Shankar Ram R/O Village- Singhapur, Ps. Tekari , Dist. Gaya
... .. Appellant/s

Versus

1. The State of Bihar
2. Manju Devi W/O Vijay Chaudhairs R/O Village- Singhapur, Ps. Tekari ,
Dist. Gaya
... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Arvind Kumar Singh, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 20-12-2023 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. Learned Special Public Prosecutor for the State
informs this Court that he has complied the order dated
18.10.2023 but nobody appeared on behalf of the respondent
no.2.

3. This is an appeal under Section 14-A(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter in short referred to as the
'SC/ST Act'), against the refusal of prayer of anticipatory bail
vide order dated 26.07.2023 passed by learned Special Judge,
SC/ST Special Court, Gaya in connection with Tekari P.S. Case
No. 381 of 2023, registered under Sections 447, 448, 341, 323,



379, 504, 506, 354 and 34 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

4. As per the prosecution case, there is allegation against the appellant that he snatched Rs.635/- from the informant and fled away.

5. It is submitted by learned counsel for the appellant that the appellant have no concern with the aforesaid occurrence. There is no specific overt act against the appellant. There is no allegation of slating the informant in the specific name of his caste. Hence, no offence under Section SC/ST Act is made out against the appellant. Appellant has got no criminal antecedent as mentioned in para-3 of memo of appeal.

6. Learned Spl. PP for the State opposes the prayer for bail and submits that the appellant abuse the respondent no.2/informant by taking caste name.

7. In the facts and circumstances of the case and the fact that there is no specific overt act against the appellant, let the above named appellant, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two



sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST Special Court, Gaya in connection with Tekari P.S. Case No. 381 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. Accordingly, the impugned order is set aside and this appeal is allowed.

(Anjani Kumar Sharan, J)

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